

SEAL DOCUMENT PURSUANT
TO E-GOVERNMENT ACT OF 2002

SEALED

United States District Court
WESTERN DISTRICT OF TEXASFiled 8-19-08
Clerk, U. S. District Court
Western District of Texas
By [Signature]
Deputy

UNITED STATES OF AMERICA

v.

CRIMINAL COMPLAINT

CASE NUMBER: SA 08-736M

Sean Michael Block

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about August 7, 2008 in Bexar county, in the Western District of Texas defendant(s) did, (Track Statutory Language of Offense)

knowingly distribute any material that contains child pornography that has been mailed, shipped or transported in interstate or foreign commerce by any means, including by computer,

in violation of Title 18, United States Code, Section(s) 2252A(a)(2)

I further state that I am a(n) Special Agent and that this complaint is based on the following facts:

Official Title

See Attached Affidavit

Continued on the attached sheet and made a part hereof:

☒ Yes☐ No[Signature]
Signature of Complainant

Agent Rex Miller

Federal Bureau of Investigation

Sworn to before me and subscribed in my presence,

8-18-08
Dateat San Antonio, Texas
City and StateNancy Stein NowakU.S. Magistrate Judge

Name & Title of Judicial Officer

[Signature]
Signature of Judicial Officer

SEALED

AFFIDAVIT OF SPECIAL AGENT REX MILLER

I, Rex Miller, being duly sworn, hereby depose and say:

1. I am a Special Agent ("SA") of the Federal Bureau of Investigation ("FBI") and have been so employed for approximately five years. I am currently assigned to the San Antonio, Texas Division of the FBI. I am the Innocent Images Coordinator for the San Antonio Division and as such, I investigate crimes against children, including the trafficking and possession of child pornography. I have received particularized training in the investigation of computer-related crimes, Usenet, peer-to-peer computer networking, and online (i.e. Internet based) crimes against children. I have conducted and been involved in numerous investigations of individuals suspected of producing, distributing and receiving child pornography and have participated in the execution of numerous search warrants which have resulted in the seizure of multiple items of child pornography. I have had the occasion to become directly involved in investigations relating to the sexual exploitation of children, to observe and review extensive examples of child pornography in various media formats, including computer-based formats. I have also received training in the investigation and detection of cases involving the sexual exploitation of children and child pornography.

2. This affidavit is submitted in support of an application for a criminal complaint charging Sean Michael Block, of [REDACTED] San Antonio, Texas, with a violation of Title 18, United States Code, Section 2252A(a)(2).

3. The information set forth in this affidavit is based on investigation conducted by this affiant and other law enforcement agents. This affidavit does not contain every fact known to me with respect to this investigation. Rather, it contains those facts that I believe to be necessary to establish probable cause for the issuance of a criminal complaint for Sean Michael Block,

charging him with distributing any material that contains child pornography that has been mailed, or shipped or transported in interstate or foreign commerce by any means, including by computer, in violation of Title 18, United States Code, Section 2252A(a)(2).

RELEVANT STATUTES

4. Title 18, United States Code, Section 2252A, entitled "Certain activities relating to material constituting or containing child pornography", provides, in part, that:

(a) Any person who -

(1) knowingly mails, or transports or ships in interstate or foreign commerce by any means, including by computer, any child pornography;

(2) knowingly receives or distributes -

(A) any child pornography that has been mailed, or shipped or transported in interstate or foreign commerce by any means, including by computer; or

(B) any material that contains child pornography that has been mailed, or shipped or transported in interstate or foreign commerce by any means, including by computer;

(3) knowingly -

(A) reproduces any child pornography for distribution through the mail, or in interstate or foreign commerce by any means, including by computer; or

(B) advertises, promotes, presents, distributes, or solicits through the mails, or in interstate or foreign commerce by any means, including by computer, any material or purported material in a manner that reflects the belief, or that is intended to cause another to believe, that the material or purported material is, or contains -

(i) an obscene visual depiction of a minor engaging in sexually explicit

conduct; or

(ii) a visual depiction of an actual minor engaging in sexually explicit conduct shall be punished as provided in subsection (b).

Background of Investigation

5. On 08/07/2008, an FBI Cooperative Witness (CW), who has provided reliable and credible information to the FBI in the past, and who had a casual preexisting relationship with Sean Michael Block (Block), received a text message from Block advising that "Nice piece 5 yrs old belongs to my gf and she wants to sell it." The CW contacted affiant with this information and advised that the CW interpreted this text message to mean that Block had a girlfriend that was interested in providing a 5 year old child to CW for sexual interactions for profit. A short time after receiving this text, the CW, at affiant's direction, conducted a telephonic conversation with Block that was recorded by the CW. During this conversation, Block advised that he was involved in a sexual relationship with a woman named Jenn Last Name Unknown (LNU) who was also employed at [REDACTED] Block advised the CW that Jenn LNU had a five year old daughter that she desired to have engage in sexual contact with an adult male. Block advised that Jenn LNU was also looking for an individual that could supplement her income as well. Block indicated to the CW that Block had thought of the CW as an individual that not only could have sexual interactions with this five year old female, but could also potentially supplement Jenn LNU's income. Block advised the CW that he was not participating in sexual activity with the five year old female because his sexual preference was "13 or 14 year old" females.

6. On 08/07/2008, the CW conducted numerous telephonic conversations with Jenn LNU. These telephonic conversations allowed Jenn LNU to be more fully identified as Jennifer

Richards, a 25 year old San Antonio, Texas, resident. During these telephonic conversations, Richards advised the CW that Richards desired for an adult male to engage in sexual interactions with her five year old daughter named (5 yo). Richards advised that she was of the belief that these sexual interactions would be a positive experience for (5 yo) and that Richards would receive sexual gratification from observing the CW engage in sexual interactions with (5 yo). Richards also informed the CW that she desired for the CW to furnish an apartment and a used automobile to Richards in order to facilitate this sexual interaction between (5 yo) and the CW. Richards subsequently transmitted images of (5 yo) as well as her ten month old daughter, referred to herein as (10 month old) to the CW's cellular telephone on this same date.

7. On or about 8/7/08 Sean Michael Block sent an email to Richards at twstedangel713@yahoo.com that included two Internet links to a website depicting child pornography. The two links sent were <http://vkadre.ru/videos/14182753/> and <http://vkadre.ru/videos/14296137>. Affiant reviewed these links and they appear to be/or point to the same web page. A summary of these links are as follows: both links appear to be a Russian web site with numerous video file links on the opening page. The opening web site page depicts a young prepubescent child lying on her back. Only the child's face is seen. Standing over the prepubescent child is a nude white male holding his erect penis close to the child's mouth. The link for this video did not play. Another video file depicts two white females that appear to be under the age of eighteen engaged in oral and digital sex. This video is 11:04 minutes in length.

8. During a telephone conversation on 8/11/08, Block admits opening the link and sending the child pornography links to Richards. Block stated he received the link via the Internet from another individual and that he believed the videos were from Russia. He denied watching the videos but admitted seeing child pornography images on the opening web page

which showed a still image of the video files contained within. Block also described the images he viewed on the opening web page as containing children, he estimated to be approximately 10 or 11 years old, engaged in sexually explicit conduct with adult males.

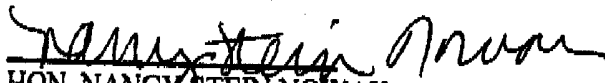
CONCLUSION

9. Based on the foregoing facts, to the best of my knowledge and belief, Sean Michael Block has committed the criminal offense of distributing child pornography in violation of Title 18, United States Code, Section 2252A(a)(2).



Special Agent Rex Miller
Federal Bureau of Investigation

Sworn to before me this
18 day of August, 2008



HON. NANCY STEIN NOWAK
UNITED STATES MAGISTRATE JUDGE